

Approved

March 5, 1985
Jayne Aylward
Date

MINUTES OF THE HOUSE COMMITTEE ON COMMUNICATION, COMPUTERS AND TECHNOLOGY

The meeting was called to order by Representative Jayne Aylward at
Chairperson

3:30 ~~am~~/p.m. on February 28, 1985 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Ray Hauke, Research Department
Scott Rothe, Research Department
Mary Galligan, Research Department
James A. Wilson, III, Senior Assistant Revisor
Jean Mellinger, Secretary to the Committee

Conferees appearing before the committee:

Chairman Jayne Aylward opened the meeting and said there was a question as to whether or not the committee would want to reconsider HB 2006, the Centers of Excellence bill. Jim Wilson said the question came up as to what kind of moneys can be used to match Centers of Excellence general fund line item moneys.

Representative Dean asked if Federal Grants money could be used and was told the bill says from nongovernmental sources.

Representative Friedeman asked if a foundation or individual would endow the director of a Center of Excellence, would that be considered matching money. Representative Chronister said as long as it is matched from a nongovernmental source, she doesn't see any problem.

The chairman said it might be well to send letters to each giving the intent of the committee for direction on matching moneys.

Jim Wilson said the second point that had come up was that some of the moneys which were appropriated for Kansas State University for fiscal year 1984 were not expended and were reappropriated by HB 2805. By reappropriating these funds, a larger amount than in the line item was provided but the requirement for the match was only \$80,000 and matching funds were also carried forward. The ratio of match was higher in 1984 than in 1985.

Representative Chronister asked what the final amount was in this account. Mary Galligan said that KSU has a total of \$290,000--\$160,000 new money and \$130,000 reappropriated--(the largest for any university involved) State General Fund Money and this has to be matched with \$80,000 the way the proviso reads. She said she had been told that they had matched the 1984 and 1985 amounts, but she hadn't had time to check.

Representative Friedeman asked if the match money exceeds the state fund money, could that amount be used to match the following year.

Representative Chronister moved that we reconsider our actions on HB 2006. Representative Dean seconded the motion. The motion carried.

Representative Chronister moved that we add a proviso to the bill that would indicate that we would allow any funds to be reappropriated into fiscal year 1986 if they have not been matched and used. Representative Dean seconded the motion. Chairman Aylward said she would send a letter to the schools giving the intent of the committee regarding matching funds. The motion carried.

Representative Chronister moved that HB 2006 as amended be forwarded favorably. Representative Dean seconded the motion. Representative Helgerson said that when he first heard about this proposal there was some discussion that they would be self-sufficient sometime and he thought it was a good proposal, but in testimony the committee heard this year it was stated that they would not be self-sufficient. He doesn't believe that was the policy

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON COMMUNICATION, COMPUTERS AND TECHNOLOGY

room 522-S, Statehouse, at 3:30 ~~xxx~~ p.m. on February 28, 1985

he supported and he will be opposed to this bill. Representative Dean said he tends to agree with Representative Helgerson that they should be self-supporting at sometime, but he sees that as maybe five years when they would be supported by work and money they get from outside companies and gifts from foundations. He doesn't think it will be the same for each university. Representative Chronister said one of the problems is trying to induce faculty to come and to head these kinds of programs if there is question about their permanency and it may wind up that we have to change something someday or we may have to go to some kind of an institute as suggested by Dr. Bradford. The motion carried.

Chairman Aylward opened the meeting for discussion or motion on HB 2257.

Representative Campbell made a motion that the committee put a two-year "sunset" on HB 2257 and that the legislature consider an interim report-- that the interim of 1987 examine what has happened and report to the 1988 legislature. Representative Shore seconded the motion. Representative Helgerson asked if it wouldn't be better to put it in an interim study now. Representative Chronister said we hadn't studied it but KCC has and their recommendation appears to be that it be deregulated. Representative Friedeman said they have studied RCCs but not cellular because they didn't exist. The chairman said there isn't that much cellular yet but in two and a half years it may have developed enough for a legislative study. Representative Erne said that once a thing is deregulated, it doesn't go back to regulation. Representative Roper said he hated to fix something that isn't broken. The motion carried.

Representative Friedeman made a conceptual motion that at the time of the "sunset" KCC has the right to go into the past and get all records having to do with Radio Common Carriers for examination of possible cross-subsidization and by-pass. Representative Chronister seconded the motion. The motion carried.

Representative Sifers made a motion that this committee report HB 2257 out favorably as amended. Representative Chronister seconded the motion. Representative Erne offered a substitute motion that we table HB 2257. Representative Roper seconded the substitute motion. Chair voted. The motion failed.

Representative Dean made a substitute motion that on line 126 the Act go into effect on January 1, 1986. Representative Sallee seconded the motion. The motion carried.

Representative Sifers made a motion that HB 2257 be reported favorably as amended. Representative Chronister seconded the motion. The motion carried. Representatives Helgerson, Erne, and Roper asked to be recorded as opposed to the motion.

Representative Green moved that the minutes of the meetings of February 20 and 25 be approved. Representative Sallee seconded the motion. The motion carried.

The meeting adjourned at 4:30 p.m.

The next meeting of the committee will be held at 3:30 p.m. on Tuesday, March 5, 1985.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Communication, Computers and Technology

Recommends that House Bill No. 2006

"AN ACT relating to centers of excellence at institutions of higher education under the supervision and management of the state board of regents; making and concerning appropriations for the fiscal year ending June 30, 1986, for Kansas state university, Wichita state university and the university of Kansas; providing certain exemptions, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing."

Be amended:

On page 1, in line 31, preceding "Wichita" by inserting "Pittsburg state university,"; in line 46, by striking ", as" and inserting in lieu thereof "or as otherwise may be";

On page 2, in line 69, by striking all after "\$70,000" and inserting in lieu thereof the following: "unless expenditures in excess of such amount are matched equally by"; in line 71, by striking "of" and inserting in lieu thereof "from"; in line 72, preceding the period, by inserting the following: ": Provided further, That any unencumbered balance in excess of \$100 as of June 30, 1985, is hereby reappropriated for fiscal year 1986"; in line 92, by striking all after "\$70,000" and inserting in lieu thereof the following: "unless expenditures in excess of such amount are matched equally by"; in line 94, by striking "of" and inserting in lieu thereof "from"; in line 96, preceding the period, by inserting the following: ": Provided further, That any unencumbered balance in excess of \$100 as of June 30, 1985, is hereby reappropriated for fiscal year 1986";

On page 3, in line 116, by striking all after "\$70,000" and inserting in lieu thereof the following: "unless expenditures in excess of such amount are matched equally by"; in line 118, by striking "of" and inserting in lieu thereof "from"; in line 119,

preceding the period, by inserting the following: "Provided further, That any unencumbered balance in excess of \$100 as of June 30, 1985, is hereby reappropriated for fiscal year 1986"; preceding line 123, by inserting the following material to read as follows:

"Sec. 6.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund the following:

Centers of excellence..... \$130,000

Provided, That expenditures may be made from this account for supplemental salaries and wages support, support for research assistants and laboratory and equipment support: Provided, however, That no expenditures shall be made from this account until at least \$195,000 has been deposited in the state treasury to the credit of the centers of excellence matching fund.

(b) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures shall not exceed the following:

Centers of excellence matching fund..... No limit";

And by renumbering section 6 as section 7, respectively;

On page 1, in the title, in line 23, preceding "Wichita" by inserting "Pittsburg state university,";

And the bill, which affects state moneys, be passed as amended;

And this report and these recommendations be referred to the Committee on Ways and Means pursuant to Rule 903(b) of the Rules of the House.

Chairperson

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Communication, Computers and Technology

Recommends that House Bill No. 2257

"AN ACT concerning telecommunications services; relating to the regulation of radio communications by the state corporation commission; amending K.S.A. 66-104a, 66-1,143 and 66-1,145 and K.S.A. 1984 Supp. 66-101 and repealing the existing sections; also repealing K.S.A. 66-1,144."

Be amended:

On page 3, in line 84, preceding the period, by inserting the following: "during the period commencing on January 1, 1986, and ending on December 31, 1987"; in line 87, after "K.S.A." by inserting "66-1,144 and"; in line 98, after "K.S.A." by inserting "66-1,144 and"; in line 101, preceding the period by inserting the following: "during the period commencing on January 1, 1986, and ending on December 31, 1987"; preceding line 108, by inserting the following material to read as follows:

"Sec. 4. K.S.A. 66-1,144 is hereby amended to read as follows: 66-1,144. (a) After December 31, 1987, no radio common carrier governed by the provisions of this act shall transact business in the state of Kansas until it ~~shall have~~ has obtained a certificate from the state corporation commission that public convenience will be promoted by the transaction of ~~said~~ the business of providing radio service and permitting ~~said~~ the applicants to transact the business of a radio common carrier in this state. ~~Any person~~

(b) Each radio common carrier which is engaged in the construction or operation of any radio common carrier on the effective date of this act shall receive a permit to transact business from the corporation commission authorizing such person to continue the construction or operation of such radio common carrier in the territory professed to be served by such person on the effective date of this act: Provided, That within sixty (60)

days-after-this-act-becomes-effective,--such--person--shall--file
with---the---corporation---commission--an--application--for--such
certificate,--including-copies-of-any-license-or--licenses--issued
by--the--federal-communications-commission-to-such-person-showing
the-area-professed--to--be--served--by--such--person or in the
transaction of the business of a radio common carrier during the
period commencing on January 1, 1986, and ending on December 31,
1987, and which is not required to have a certificate from the
state corporation commission during such period as provided by
this act, shall keep and maintain all the records of such
construction, operation and business during such period and shall
make such records available to the state corporation commission
during such period and thereafter.";

And by renumbering sections accordingly;

Also on page 3, in line 109, by striking "Each" and inserting
in lieu thereof the following: "Except as otherwise provided in
this section, each";

On page 4, in line 122, following the period, by inserting
the following: "After December 31, 1987, each radio common
carrier, which is interconnecting its common carrier radio
telephone facilities with the telephone facilities of a telephone
utility in accordance with an agreement or an order under this
section, shall hold a certificate issued by the state corporation
commission permitting the radio common carrier to transact the
business of a radio common carrier in this state."; in line 126,
following "after" by inserting "January 1, 1986, and"; also in
line 126, by striking "Kansas register" and inserting in lieu
thereof "statute book";

On page 1, in the title, in line 19, after "66-1,143" by
inserting ", 66-1,144"; in line 21, by striking "; also repealing
K.S.A. 66-1,144";

And the bill be passed as amended.

Chairperson